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Attorney for Defendant,
CODY MITCHELL

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

JULIA HUBBARD, *et al.*,

Plaintiffs,

vs.

TRAMMELL S. CROW, JR., *et al.*,

Defendants.

No. 2:22-cv-07957-FLA-MAA

Assigned to Honorable
Fernando L. Aenelle-Rocha

**DECLARATION OF DEFENDANT
CODY MITCHELL IN SUPPORT
OF MOTION TO DISMISS**

(Filed Concurrently with Cody Mitchell's
Motion to Dismiss)

DECLARATION OF DEFENDANT CODY MITCHELL

I, Cody Mitchell, declare as follows:

1. I am a named defendant in this action. I make this Declaration in support of my Motion to Dismiss for Lack of Personal Jurisdiction. I have personal knowledge of the matters set forth below and, if called upon as a witness, I could and would competently testify to the following:

2. A process server served me with personal service of this Complaint and summons at my residence in Bertram, Texas.

3. At the time of receipt of the Complaint, I resided in Texas for 49 years, the entirety of my life thus far. At all relevant times mentioned in the Complaint, I resided in Texas.

4. At no point in my life have I lived or resided in California.

5. I have never worked in California.

6. I have never been employed in California.

7. For the last twenty years, I have only been employed in Texas.

8. I have never paid any personal or business taxes in California.

9. I have never rented, leased, or owned property in California.

10. I have never held any accounts with a California bank.

11. I have never been named as a defendant in any other litigation in California aside from the present action.

12. I have never initiated litigation or been a plaintiff in California.

13. In the last twenty years, I have been to California approximately eight times due to connecting flights at Los Angeles International Airport ("LAX"). During each of these instances, I did not step foot outside of LAX except for one occasion when my connecting flight to Texas was delayed. As a result, the airline provided me, and the other delayed passengers, vouchers to a nearby hotel. The next morning, we were shuttled from the hotel back to LAX for the flight to Texas.

1 14. I have never been to California with any party named in this action.

2 15. I have never consented to California jurisdiction.

3 16. I have never interacted with any named party aside from Defendant
4 Richard Hubbard, and all my interactions with him occurred in Texas.

5 17. I know Richard Hubbard from grade school in Texas. The last time we
6 went to school together was my sophomore year of high school in 1990. The last I
7 recall ever seeing Richard Hubbard was in 2005.

8 18. Defending myself in court in California imposes a substantial burden on
9 me personally and financially. I do not have any connections to the State of
10 California. Being required to travel to California for trial or participate in discovery
11 would be an acute burden due to my lack of meaningful contacts in California.

12 19. I have never purposefully or intentionally availed myself to the benefits of
13 the laws of California, nor have I ever attempted to.

14 I declare under penalty of perjury under the laws of the United States of
15 America that foregoing is true and correct.

16 Executed in Bertram, Texas, on February 21, 2023.

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19 _____
20 CODY MITCHELL
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